

City of Round Rock
Regular City Council Meeting
March 25, 2010

The Round Rock City Council met in Regular Session on Thursday, March 25, 2010, in the City Council Chamber, 221 E. Main Street.

[CALL SESSION TO ORDER - 7:00 P.M.](#)

Mayor McGraw called the meeting to order at 7:01 p.m.

[ROLL CALL](#)

Those members present were Mayor McGraw, Councilmember Honeycutt, Councilmember White, Mayor Pro-Tem Clifford, Councilmember Salinas, Councilmember Moman, Councilmember Whitfield. Also present were City Manager Jim Nuse, Assistant City Manager Cindy Demers and City Attorney Steve Sheets. No one was absent from this meeting.

[PLEDGE OF ALLEGIANCE:](#)

Mayor McGraw led the following Pledges of Allegiance:

3A. United States Flag

3B. Texas State Flag

[CITIZEN COMMUNICATION](#)

Melinda Overstreet, 2019 Bent Tree Loop, Round Rock, spoke to the City Council regarding parking enforcement along Main Street.

[PROCLAMATIONS:](#)

[5A. Consider proclaiming March 26, 2010, as "Purple Day" in Round Rock in support of epilepsy awareness.](#)

Mayor McGraw read the following proclamation and presented it to April Wells and her daughter Amandya:

WHEREAS, epilepsy is one of the most common neurological conditions, estimated to affect more than 50 million people worldwide and more than 3 million people in the United States; and

WHEREAS, one in ten persons will have at least one seizure during his or her lifetime; and

WHEREAS, the public is often unable to recognize common seizure types, or how to respond with appropriate first aid; and

WHEREAS, people around the world will wear purple tomorrow as part of a global effort to promote awareness about epilepsy; and

WHEREAS, Purple Day is celebrated to increase understanding, reduce stigma and improve quality of life for people with epilepsy throughout the country and globally;

NOW THEREFORE, I, ALAN MCGRAW, Mayor of the City of Round Rock, Texas, do hereby proclaim March 26, 2010, as

“Purple Day”

in Round Rock and urge residents to join Amandya and April in raising awareness of epilepsy by wearing purple on March 26 -- that’s tomorrow!

PROCLAIMED this 25th day of March 2010.

[5B. Consider proclaiming April as Arts Appreciation Month in Round Rock.](#)

Mayor McGraw read the following proclamation and presented it to members of Round Rock Area Arts Council and representatives from the Round Rock Independent School District.

WHEREAS, the arts can infuse a community with civic pride, define a sense of place, and build upon community identity, image and character; and

WHEREAS, the arts provide an effective way to communicate across language and cultural barriers, as artists, performers and musicians express unique emotions, thoughts, and experiences; and

WHEREAS, springtime in April is a fitting time of year to acknowledge how arts add value to our daily lives, reminding us of beauty often overlooked and of times gone by, and encouraging dreams of a better tomorrow; and

WHEREAS, we commend all individuals and organizations for advancing the arts, including the Round Rock Independent School District for showcasing an elementary music festival and art exhibition, and the Round Rock Area Arts Council for hosting a successful "Imagine 2010" community event bringing in approximately 500 guests for artwork and live music;

NOW THEREFORE, I, ALAN MCGRAW, Mayor of the City of Round Rock, Texas, do hereby proclaim April 2010 as

"Arts Appreciation Month"

in Round Rock and urge residents to show appreciation for our talented artists, performers and musicians and take an hour or two with your family or a friend to view the 100-plus pieces of artwork on display for the community through May 14 at Texas State University's Round Rock Higher Education Center.

PROCLAIMED this 25th day of March 2010.

CONSENT AGENDA:

All items listed with an asterisk (*) are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a Council member in which event the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.

*7A. Consider approval of the City Council minutes for the March 11, 2010 Regular Meeting and March 16, 2010 Special Called Meeting.

MOTION: Councilmember Salinas moved to approve the consent agenda. Councilmember Moman seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor McGraw Councilmember Honeycutt Councilmember White Mayor Pro-Tem Clifford Councilmember Salinas Councilmember Moman Councilmember Whitfield
	Nays:	None
	Absent:	None

ACTION: The motion carried unanimously.

APPROVAL OF MINUTES:

*7A. Consider approval of the City Council minutes for the March 11, 2010 Regular Meeting and March 16, 2010 Special Called Meeting.

*10A1. Consider a resolution authorizing a property tax refund to Charlie Wright, Jr. for 2009 taxes in the amount of \$826.14.

*10A2. Consider a resolution authorizing a property tax refund to Wal-Mart Real Estate Business Trust for 2007 and 2008 taxes totaling \$14,506.60.

*10A3. Consider a resolution authorizing a property tax refund to Clifton O. Taylor, Jr. for 2009 taxes in the amount of \$562.31.

*10A4. Consider a resolution authorizing a property tax refund to William D. Shietze for 2009 taxes in the amount of \$568.52.

*10A5. Consider a resolution authorizing a property tax refund to Thaddeus Santelli for 2009 taxes in the amount of \$695.32.

*10A6. Consider a resolution authorizing a property tax refund to GCLC, Ltd. for 2007 and 2008 taxes totaling \$4,500.15.

*10A7. Consider a resolution authorizing a property tax refund to CPG Round Rock, L.P. (Round Rock Premium Outlets) for 2007 taxes in the amount of \$26,888.60.

*10A8. Consider a resolution authorizing a property tax refund to Daniel Quinones for 2009 taxes in the amount of \$1,123.73.

*10A9. Consider a resolution authorizing a property tax refund to Jenell L. Paul for 2009 taxes in the amount of \$532.52.

*10A10. Consider a resolution authorizing a property tax refund to ABS TX Investor, L.P. for 2006 and 2007 taxes totaling \$7,173.41.

PRESENTATIONS:

8A. Consider a presentation regarding the Financial Status of the City.

Cheryl Delaney, Finance Director made the staff presentation.

8B. Consider a presentation regarding service billing for select emergency services performed by the Round Rock Fire Department.

Chief Larry Hodge and Fire Marshal Billy Wusterhausen made the staff presentation.

ORDINANCES:

9A1. Consider an ordinance amending Chapter 3, Section 3.1400, Code of Ordinances, to establish definitions and use standards for Real Estate Marketing signs and Pole Mounted Banners.

[\(First Reading\)](#) Jim Stendebach, Planning and Community Development Director made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 3, SECTIONS 3.1403, 3.1404, AND 3.1406, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING REAL ESTATE MARKETING SIGNS AND POLE MOUNTED BANNERS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Moman moved to approve the ordinance with amendment to increase the allowable size of signs under subsection (2)(a) from 9 square feet to 16 square feet. Councilmember Whitfield seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor McGraw Councilmember Honeycutt Councilmember White Mayor Pro-Tem Clifford Councilmember Salinas Councilmember Moman Councilmember Whitfield
	Nays:	None
	Absent:	None

ACTION: The motion carried unanimously.

MOTION: Mayor Pro-Tem Clifford moved to dispense with second reading of the ordinance with the unanimous consent of the Council and adopt the ordinance. Councilmember Whitfield seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor McGraw Councilmember Honeycutt Councilmember White Mayor Pro-Tem Clifford Councilmember Salinas Councilmember Moman Councilmember Whitfield
	Nays:	None
	Absent:	None

ACTION: The motion carried unanimously.

[9B1. Consider an ordinance amending Chapter 9, Code of Ordinances, by adding Section 9.310 regarding the enforcement of parking regulations by persons other than police officers. \(First Reading\)](#) Police Chief Bryan Williams made the staff presentation.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9, SECTION 9.300, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, BY ADDING SUBSECTION 9.310 REGARDING PARKING REGULATIONS ENFORCEMENT; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Whitfield moved to approve the ordinance. Councilmember Salinas seconded the motion.

VOTE: Ayes: Mayor McGraw
 Councilmember Honeycutt
 Councilmember White
 Mayor Pro-Tem Clifford
 Councilmember Salinas
 Councilmember Moman
 Councilmember Whitfield
 Nays: None
 Absent: None

ACTION: The motion carried unanimously.

MOTION: Mayor Pro-Tem Clifford moved to dispense with second reading of the ordinance with the unanimous consent of the council and adopt the ordinance. Councilmember Whitfield seconded the motion.

VOTE: Ayes: Mayor McGraw
 Councilmember Honeycutt
 Councilmember White
 Mayor Pro-Tem Clifford
 Councilmember Salinas
 Councilmember Moman
 Councilmember Whitfield
 Nays: None
 Absent: None

ACTION: The motion carried unanimously.

RESOLUTIONS:

*10A1. Consider a resolution authorizing a property tax refund to Charlie Wright, Jr. for 2009 taxes in the amount of \$826.14. This item was approved under the consent agenda.

*10A2. Consider a resolution authorizing a property tax refund to Wal-Mart Real Estate Business Trust for 2007 and 2008 taxes totaling \$14,506.60. This item was approved under the consent agenda.

*10A3. Consider a resolution authorizing a property tax refund to Clifton O. Taylor, Jr. for 2009 taxes in the amount of \$562.31. This item was approved under the consent agenda.

*10A4. Consider a resolution authorizing a property tax refund to William D. Shietze for 2009 taxes in the amount of \$568.52. This item was approved under the consent agenda.

*10A5. Consider a resolution authorizing a property tax refund to Thaddeus Santelli for 2009 taxes in the amount of \$695.32. This item was approved under the consent agenda.

*10A6. Consider a resolution authorizing a property tax refund to GCLC, Ltd. for 2007 and 2008 taxes totaling \$4,500.15. This item was approved under the consent agenda.

*10A7. Consider a resolution authorizing a property tax refund to CPG Round Rock, L.P. (Round Rock Premium Outlets) for 2007 taxes in the amount of \$26,888.60. This item was approved under the consent agenda.

*10A8. Consider a resolution authorizing a property tax refund to Daniel Quinones for 2009 taxes in the amount of \$1,123.73. This item was approved under the consent agenda.

*10A9. Consider a resolution authorizing a property tax refund to Jenell L. Paul for 2009 taxes in the amount of \$532.52. This item was approved under the consent agenda.

*10A10. Consider a resolution authorizing a property tax refund to ABS TX Investor, L.P. for 2006 and 2007 taxes totaling \$7,173.41. This item was approved under the consent agenda.

10B1. Consider a resolution authorizing the Mayor to execute Supplemental Contract No. 1 for the Little Oaks Subdivision Improvements Project. Danny Halden, City Engineer made the staff presentation.

MOTION: Councilmember Moman moved to approve the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor McGraw Councilmember Honeycutt Councilmember White Mayor Pro-Tem Clifford Councilmember Salinas Councilmember Moman Councilmember Whitfield
	Nays:	None
	Absent:	None

ACTION: The motion carried unanimously.

10C1. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement with Williamson County Appraisal District for the 2010 Pictometry Aerial Photo Project. Cindy Demers, Assistant City Manager made the staff presentation.

MOTION: Councilmember Whitfield moved to approve the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor McGraw Councilmember Honeycutt Councilmember White Mayor Pro-Tem Clifford Councilmember Salinas Councilmember Moman Councilmember Whitfield
	Nays:	None
	Absent:	None

ACTION: The motion carried unanimously.

[10C2. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement with the City of Georgetown regarding placement of monument signs.](#) Jim Nuse, City Manager made the staff presentation.

MOTION: Councilmember Moman moved to approve the resolution. Councilmember Whitfield seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor McGraw Councilmember Honeycutt Councilmember White Mayor Pro-Tem Clifford Councilmember Salinas Councilmember Moman Councilmember Whitfield
	Nays:	None
	Absent:	None

ACTION: The motion carried unanimously.

[10C3. Consider a resolution to direct staff to submit an online application to Google, Inc. for the Google Fiber for Communities RFI.](#) Brooks Bennett, Technology Specialist, made the staff presentation.

MOTION: Councilmember White moved to approve the resolution. Councilmember Salinas seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor McGraw Councilmember Honeycutt Councilmember White Mayor Pro-Tem Clifford Councilmember Salinas Councilmember Moman Councilmember Whitfield
	Nays:	None
	Absent:	None

ACTION: The motion carried unanimously.

[10C4. Consider a resolution amending the policy for naming city facilities, parklands, and streets.](#) Jim Nuse, City Manager made the staff presentation.

MOTION: Mayor Pro-Tem Clifford moved to approve the resolution as amended by amending criteria (3) to say "Memoriam for an individual" and strike the balance of the sentence. Councilmember Moman seconded the motion.

<u>VOTE:</u>	Ayes:	Mayor McGraw Councilmember Honeycutt Councilmember White Mayor Pro-Tem Clifford Councilmember Salinas Councilmember Moman Councilmember Whitfield
	Nays:	None

Absent: None

ACTION: The motion carried unanimously.

[10D1. Consider a resolution authorizing the Mayor to execute a Second Amended Interlocal Agreement with the Cities of Cedar Park and Leander regarding Acquisition of Easements for Construction of a Raw Water Transmission Line along Trails End Road.](#) Michael Thane, Utilities Director made the staff presentation.

MOTION: Councilmember White moved to approve the resolution. Councilmember Whitfield seconded the motion.

VOTE: Ayes: Mayor McGraw
 Councilmember Honeycutt
 Councilmember White
 Mayor Pro-Tem Clifford
 Councilmember Salinas
 Councilmember Moman
 Councilmember Whitfield

 Nays: None

 Absent: None

ACTION: The motion carried unanimously.

[10D2. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement with the Brushy Creek Regional Utility Authority regarding Regional Water Project Construction Administrative Services.](#) Michael Thane, Utilities Director made the staff presentation.

MOTION: Councilmember White moved to approve the resolution. Mayor Pro-Tem Clifford seconded the motion.

VOTE: Ayes: Mayor McGraw
 Councilmember Honeycutt
 Councilmember White
 Mayor Pro-Tem Clifford
 Councilmember Salinas
 Councilmember Moman
 Councilmember Whitfield

 Nays: None

 Absent: None

ACTION: The motion carried unanimously.

[10D3. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement with the Brushy Creek Regional Utility Authority regarding Regional Water Project Administrative Services.](#)

Michael Thane, Utilities Director made the staff presentation.

MOTION: Councilmember White moved to approve the resolution. Councilmember Salinas seconded the motion.

VOTE: Ayes: Mayor McGraw
 Councilmember Honeycutt
 Councilmember White

Mayor Pro-Tem Clifford
Councilmember Salinas
Councilmember Moman
Councilmember Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

10D4. Consider a resolution authorizing the Mayor to execute an Interlocal Agreement with the Brushy Creek Regional Utility Authority regarding Regional Water Project General Manager Services and Capital Program and Construction Manager Services. Michael Thane, Utilities Director made the staff presentation.

MOTION: Councilmember White moved to approve the resolution. Councilmember Whitfield seconded the motion.

VOTE: Ayes: Mayor McGraw
Councilmember Honeycutt
Councilmember White
Mayor Pro-Tem Clifford
Councilmember Salinas
Councilmember Moman
Councilmember Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

10D5. Consider a resolution authorizing the Mayor to execute a Contract for Engineering Services with HDR Engineering, Inc. for the Water Reuse System - Phase 1 Project.

MOTION: Councilmember Salinas moved to approve the resolution. Mayor Pro-Tem Clifford seconded the motion.

VOTE: Ayes: Mayor McGraw
Councilmember Honeycutt
Councilmember White
Mayor Pro-Tem Clifford
Councilmember Salinas
Councilmember Moman
Councilmember Whitfield

Nays: None

Absent: None

ACTION: The motion carried unanimously.

APPOINTMENTS:

11A. Consider one appointment to the Planning and Zoning Commission to fill an unexpired term.

MOTION: Councilmember White moved to appoint by acclamation Bob Bennett to the Planning and Zoning Commission. Councilmember Whitfield seconded the motion.

VOTE: Ayes: Mayor McGraw
 Councilmember Honeycutt
 Councilmember White
 Mayor Pro-Tem Clifford
 Councilmember Salinas
 Councilmember Moman
 Councilmember Whitfield
 Nays: None
 Absent: None

ACTION: The motion carried unanimously.

[COUNCIL COMMENTS REGARDING ITEMS OF COMMUNITY INTEREST](#)

EXECUTIVE SESSION:

[13A. Consider Executive Session as authorized by §551.071 and §551.072 Government Code, for consultation with the City Attorney regarding possible litigation regarding the Contract for Sale of Real Property with DBRA Athens Property Investments, L.P. for Lot 9, Heritage Center \(Old Police Department Building\).](#)

The Council recessed to executive session. The Mayor called the Executive Session to order at 8:40 p.m. and adjourned it at 9:25 p.m.

ACTION RELATIVE TO EXECUTIVE SESSION:

[14A. Consider discussion and/or possible action regarding possible litigation regarding the Contract for Sale of Real Property with DBRA Athens Property Investments, L.P. for Lot 9, Heritage Center \(Old Police Department Building\).](#)

No action was taken on this item.

[ADJOURNMENT](#)

There being no further business, the meeting was adjourned at 9:23 p.m.

Respectfully Submitted,

Sara L. White, City Secretary